

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LINDA LARACH-COHEN, et al.,

Plaintiffs,

-v-

No. 19 CV 7623-LTS-SDA

DAVID C. BANKS, et al.,

Defendants.

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ORDER ADOPTING REPORT & RECOMMENDATION

The Court has reviewed Magistrate Judge Aaron's October 8, 2022, Report and Recommendation (the "Report") (docket entry no. 100) which recommends that Plaintiffs' motion for attorneys' fees be denied and Plaintiffs' remaining pendency claims be dismissed. No objections to the Report have been received.

In reviewing a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C.A. § 636(b)(1)(C) (Westlaw P.L. through 117-214). "In a case such as this one, where no timely objection has been made, 'a district court need only satisfy itself that there is no clear error on the face of the record.'" Johnson v. New York University School of Education, No. 00-CV-8117-WK-RLE, 2003 WL 21433443, at *1 (S.D.N.Y. June 16, 2003) (citation omitted).

The Court has reviewed carefully Magistrate Judge Aaron's thorough and well-reasoned Report and Recommendation and finds no clear error. The Court therefore adopts the Report in its entirety for the reasons stated therein. Accordingly, Plaintiffs' motion for attorneys' fees is denied with prejudice insofar as it seeks fees and costs in connection with this action, and

denied without prejudice insofar as it seeks fees and costs in connection with the underlying administrative proceeding, and Plaintiffs' remaining pendency claim is dismissed. This Order resolves docket entry no. 89. The Clerk of Court is requested to enter judgment accordingly.

SO ORDERED.

Dated: New York, New York
October 28, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge